

UNITED STATES DISTRICT COURT

Northern District of California

PLAINTIFF

THE CONTINENTAL INSURANCE COMPANY

THIRD PARTY SUMMONS IN A
CIVIL ACTION

Case Number: 3:08-CV-2052-SC

V. DEFENDANT AND THIRD PARTY PLAINTIFF

JOHN JOSEPH COTA; REGAL STONE LIMITED;
 FLEET MANAGEMENT, LTD.; and the M/V
 COSCO BUSAN, LR/IMO Ship. No. 9231743
 her engines, apparel, electronics,
 tackle boats, appaurtenance

V. THIRD PARTY DEFENDANT

THE SAN FRANCISCO BAR PILOTS and THE SAN
 FRANCISCO BAR PILOTS BENEVOLENT AND PROTECTIVE ASSOCIATION
 TO: Name and address of Third Party Defendant
 THE SAN FRANCISCO BAR PILOTS
 c/o Peter McIssac, Pier 9, East End, San Francisco, CA 94111

YOU ARE HEREBY SUMMONED and required to serve on

PLAINTIFF'S ATTORNEY (name and address)

Samuel H. Ruby (415-352-2700)
 Bullivant Houser Bailey PC
 601 California Street, Suite 1800
 San Francisco, CA 94108

Steven M. Crane (213-955-1150)
 Berkes Crane Robinson & Seal LLP
 515 S. Figueroa St., Suite 1500
 Los Angeles, CA 90071

DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY
(name and address)

Scott T. Pratt (562-436-200)
 Joseph A. Walsh
 Elizabeth A. Kendrick
 Keesal, Young & Logan
 400 Oceangate

an answer to the third-party complaint which is served on you with this summons, within Twenty days after the service of this summons on you, exclusive of the day of service. If you fail to do so, judgement by default may be taken against you for the relief demanded in the third-party complaint. There is also served on you with this summons a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

RICHARD W. WIEKING

CLERK

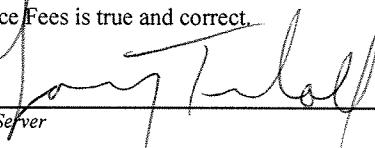
JUL 18 2008

DATE

(By) DEPUTY CLERK

SUSAN IMBRIANI

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	7/21/2008
NAME OF SERVER Larry Tisdall	TITLE Registered Process Server	
<i>Check one box below to indicate appropriate method of service</i>		
<input checked="" type="checkbox"/> Served personally upon the third-party defendant. Place where served: Pier 9, East End, San Francisco, CA 94111		
<input type="checkbox"/> Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify): Personally served on Peter McIssac, Registered agent for The San Francisco Bar Pilots, at 2:30 PM		
STATEMENT OF SERVICE FEES		
TRAVEL \$27.50	SERVICES	TOTAL \$27.50
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>7/21/2008</u>	Date	 <i>Signature of Server</i>
<u>75 Columbia Square, San Francisco, CA 94103</u> <i>Address of Server</i>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.